

**MEETING WITH UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES
FILIPPO GRANDI
November 1, 2018**

Objective:

- Thank the United Nations High Commissioner for Refugees (UNHCR) for its rapid mobilization in response to the migrant caravan.
- Get a status update from UNHCR regarding its talks with the Government of Mexico (GOM) and actions to increase programming in Mexico.
- Restate the importance of building asylum and third-country refugee resettlement capacity throughout the Americas in order to allow migrants with protection needs to remain as close to home as possible.

Key Messages

You been in continuous communication with your counterparts in Mexico and the Northern Triangle as the caravan has unfolded, and you will continue to push for a comprehensive, regional solution to migration, while continuing to enforce U.S. law. The United States Government (USG) has already taken a number of steps to respond to and obtain information about the caravan, in consultation with the Governments of Mexico and the Northern Triangle countries.

Key Issues:

DHS Issues to Address:

Asylum in Mexico

- Earlier in the week, GOM officials indicated that they were considering granting all caravan members asylum as a group instead of individual reviewing their claims.
 - Further clarification is still needed as to how GOM will proceed.
 - While this decision may not have an impact on U.S. operations, it could serve as a pull factor to Mexico, and it could set a precedent of not granting asylum based on the merits of a claim.
- Staff recommendation: Comment that you are concerned with pull factors and establishing unsustainable precedents, but that GOM can set its own asylum policy just like the United States does.

Third-Country Refugee Resettlement

- Mexico has informally allowed for a third-country refugee resettlement process to begin; however, Mexico has not wanted to open or public about it.
 - DHS has already approached Canada and Australia. Costa Rica and Uruguay could also be considered as options in the future.
 - Both Canada and Australia were open to the idea should UNHCR have authorization to proceed.
- DHS's vision is that the resettlement program in Mexico will run concurrent with the Protection Transfer Arrangement (PTA), not detracting resources from it.

- International Organization for Migration (IOM) based out of San Salvador will likely manage the caseload for the Mexico resettlement program, in addition to the PTA in El Salvador and Costa Rica.
- Both of these programs, in addition to resettlement out of Ecuador, will remain limited by the Fiscal Year 2019 refugee ceiling of 3,000 individuals for Latin America and the Caribbean.
- Staff recommendations: Reinforce your support for PTA continuing alongside any resettlement program in Mexico.
 - Mention that any admissions from Latin America and the Caribbean will remain limited by the 3,000 individual ceiling for the region.

Dissuasive Messaging

- DHS Attaché to Mexico Edgar Ramirez reports that many migrants he spoke with were under the false assumption that they would be given some sort of amnesty upon arrival to the U.S.-Mexico border.
 - He spoke with them about actual vs. perceived U.S. policy.
 - One challenge facing DHS is that migrants may hear the actual U.S. policy, but they still have anecdotal stories from friends and family who were allowed to stay in the United States.
- Ramirez and social media report that many elderly people and children are part of the caravan, and people are exhausted from the walking
 - Caravan leaders have promised migrants that they will not have to walk the whole way, but Mexican Federal Police are preventing migrants from boarding buses and tractor-trailers and plan to shut down trains routes for migrants.
 - Social media reports that hundreds of migrants are willing to accept voluntary repatriation, in addition to the 3,116 Hondurans who have returned from Guatemala and Mexico as of October 25.
- Staff recommendation: Thank UNHCR for engaging in a messaging campaign to encourage caravan members to apply for asylum in Mexico and to debunk any misconceptions about U.S. immigration policy.
 - Inform High Commissioner Grandi that the U.S. Government is also coordinating messaging to send a clear message from the United States and the region.

Biometric Results

- Between October 18-23, 2018, DHS has received biometric information on 153 members of the caravan with criminal convictions.
- In addition to Central Americas, there are numerous Indians, Bangladeshis, Cameroonian, Congolese, Haitians, Nepalese, Pakistanis, Sri Lankans, Angolans, Eritreans, Ethiopians, Ghanaians, Afghans, Somalis, Yemenis and Sierra Leoneans participating in the caravan.
- Staff recommendation: State the importance of capturing biographic and biometric information on the members of the caravan to uncover any nefarious actors who are infiltrating the flows.
 - Remark that any help UNHCR could play in capturing this information in conjunction with the United States would be very appreciated.

Background

UNHCR Engagement with Government of Mexico

- UNHCR has been present at the Mexico-Guatemala border since the arrival of the first waves of the caravan, and is working closely with Mexico's National Migration Institute (INM), which is facilitating access to international protection.
 - As of October 25, 1,743 people have claimed asylum in Mexico.
- UNHCR Country Director in Mexico, Mark Manley, spoke with Secretary Videgaray on October 22.
 - GOM has given UNHCR permission to continue making low-key resettlement referrals to third countries.
- UNHCR is collaborating with the Mexican Refugee Assistance Commission (COMAR) to pre-register applicants for asylum and to identify and increase COMAR staffing needs.
 - On October 24, COMAR agreed to increase staffing by 22 people, with 11 new asylum officers beginning by the end of the week.
 - UNHCR has recommended that COMAR increase its staff by a total of 100 officers.
- GOM has agreed to issue CURP cards for employment authorization to asylum seekers, in addition to recognized refugees, which will allow them to move outside of Chiapas.
 - This will ease the burden on services in Chiapas and allow asylum seekers access to a less saturated labor market.
 - UNHCR estimates that it can relocate 300 asylum seekers per week, ideally to the industrial belt in northern Mexico where jobs are more plentiful.
- UNHCR has offered to identify profiles within COMAR's caseload that would meet specific resettlement criteria, and process them for third-country resettlement.

Shelter Space:

- The fairground in Tapachula – referred to as “La Feria” – has been identified as a temporary shelter until an applicant’s release to UNHCR for transfer to the safe space shelters. (Release is generally within 1-2 days following registration with UNHCR).
 - Shelter capacity of La Feria is up to 12,000 persons in separated spaces with gender separated bathrooms and lighting in the shelter areas.
 - As of October 24, 1,028 asylum seekers were staying at La Feria, with 461 additional asylum seekers remaining at the INM Siglo XXI detention center.
- UNHCR has identified 113 safe shelters and is working to increase the capacity of shelters to receive even more applicants.
- Paralegals are present at the shelters to provide legal assistance to asylum seekers so that they understand the process, which better ensures that they do not abandon their application and continue traveling to the United States.

Other UNHCR Operations in Mexico:

- UNHCR has 41 staff on site in Tapachula as of October 24 and hopes to have as many as 70 in the coming weeks.
- UNHCR is assisting with the need to respond to additional equipment needs (e.g. laptops, wireless networks, etc.)
- UNHCR and civil society organizations (CSOs) are actively working to dispel misinformation and encourage migrants to apply for asylum.
 - UNHCR believes that CSOs will be well organized to conduct outreach if and when the caravan reaches Mexico City.

UNHCR-Identified Issues:

- INM processing at the Ciudad Hidalgo port of entry is slow enough that migrants who do not want to wait swim across the Suchiate River and enter Mexico illegally.
- INM is not releasing asylum applicants from detention quickly, which is making potential applicants rethink the decision to avail themselves to protection.

Watch Out For/ If Asked:

Global Compact on Refugees (GCR):

- UNHCR will likely assert that all work it is doing in Mexico is consistent with the GCR.
- UNHCR will likely press for the United States to support the GCR, noting that efforts have been made to accommodate U.S. concerns.
- Staff recommendation: Remark that DHS appreciates the efforts made by UNHCR on the GCR, which includes the position that refugees should remain as close to their country of origin as possible.
 - State that Deputies are currently meeting with the White House to determine the U.S. position on the GCR.

Return to Territory

- UNHCR Washington has raised multiple times (to both DHS and Department of State) the concern that its refugee processing efforts would be used by the United States to deny due process to would-be asylum seekers who arrive at the U.S.-Mexico border.
- At the staff level, DHS has told UNHCR that the migrants who go through the refugee screening process, who are not accepted by the whichever country they are referred to, and still come to the U.S.-Mexico border to request asylum would be processed through credible fear consistent with U.S. immigration law.
 - However, DHS expects that process would be expedited (barring a change in the applicant's circumstances) since these migrants were already screened and already found to not qualify.
- There has been no explicit mention that section 235(b)(2)(C) of the Immigration and Nationality Act (INA) is being considered.
- Staff recommendation: Respond that the United States will perform its sovereign function of considering asylum requests in compliance with U.S. laws and international obligations, irrespective of UNHCR actions in the region.

History:

- You last spoke with High Commissioner Grandi on June 25, 2018, but you have not met with him in person while in your current position.
- You spoke with Assistant High Commissioner for Protection Volker Turk on October 22, 2018.
- Office of Policy and USCIS staff maintain a constant working relationship with UNHCR representatives in Washington D.C. and throughout the hemisphere.

Attachments:

- A. Talking Points
- B. Biography

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Staff Responsible for Briefing Memo: Morgan Plumer, Deputy Director, Mexico, PLCY, [REDACTED]; Michael Huston, Principal Director, Americas, PLCY, [REDACTED].

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Talking Points

Topline Messages:

- The United States Government has taken a number of steps to respond to and obtain information about the caravan, in consultation with the Governments of Mexico and the Northern Triangle countries.
- UNHCR support in Southern Mexico is crucial to ensuring that migrants with protection needs understand how to seek asylum and to supporting COMAR with the capacity to process those claims.
- Coordinated messaging to correct misinformation is vital.

Topic/Issue

- Thank you for UNHCR's rapid mobilization and response to the migrant caravan. Your work in Southern Mexico has made it possible for thousands of asylum seekers to apply for protection.
- The United States Government is still working through some details about opening a third-country resettlement stream from Mexico and hopes to rapidly resolve any issues.
- Any third-country resettlement program out of Mexico should be a regional effort, with countries such as Canada, Costa Rica and Uruguay accepting refugees as well.
- DHS recognizes the importance of the Protection Transfer Arrangement (PTA) for providing protection for the most vulnerable populations before they decide to make the dangerous journey to the United States.
 - It is our desire that any third-country resettlement program in Mexico not detract from those efforts.
- Our DHS Attaché to Mexico was recently in Chiapas and reported that many migrants believed they would receive amnesty once they reached the U.S.-Mexico border.
 - This demonstrates the importance of coordinated governmental and non-governmental messaging to ensure that caravan members understand the realities of U.S. immigration law and policy.
 - Thank you for your efforts to encourage caravan members to apply for asylum in Mexico and to dispel myths about U.S. immigration policy.

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- DHS is concerned about gang members and migrants with criminal convictions participating in the caravan, in addition to the number of extra-continental migrants who have taken advantage of the opportunity to join the caravan.

➤ DHS is doing its best to continue to monitor the composition of the flows in preparation that the caravan does reach the U.S.-Mexico border.

Potential Questions & Answers

- Q: Do you have an update on the United States Government's position on the Global Compact on Refugees?
 - A: DHS appreciates the efforts made by UNHCR to develop elements of the GCR indicating that countries should share responsibility for providing protection and that refugees should remain as close to their country of origin as possible.
 - A: The Department Deputies are currently meeting with the White House to determine the U.S. position on the GCR.
- Q: Is the United States considering enacting section 235(b)(2)(C) in response to the caravan?
 - A: The United States will perform its sovereign function of considering asylum requests in compliance with U.S. laws and international obligations.